

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SECOND AMENDMENT ARMS)
(A D/B/A OF R. JOSEPH FRANZESE))
R. JOSEPH FRANZESE, individually)
and d/b/a SECOND AMENDMENT ARMS,)
ROBERT M. ZIEMAN, SR., ICARRY an)
unincorporated Association (and)
d/b/a of Shaun Kranish) SHAUN)No. 1:10-CV-4257
KRANISH, individually and d/b/a)
ICARRY, AND TONY KOLE,)
)

Plaintiffs,)Hon. Robert M.
)Dow, Jr.
- vs -)U.S. District
)Court Judge

CITY OF CHICAGO, a municipal)
corporation, RAHM EMANUEL, in his)
official capacity as Mayor of the)Hon. Sheila M.
City of Chicago, GARRY McCARTHY,)Finnegan
Superintendent of Police of the)U.S. Magistrate
City of Chicago, and SUSANA)Judge
MENDOZA, City Clerk of the City)
of Chicago,)
)
)

Defendants.)

The Discovery Deposition of

ROMAN S. TAPKOWSKI,

taken in the above-entitled cause, before BERNA
DAVIS, a Certified Shorthand Reporter in the State
of Illinois, taken at City of Chicago, Department
of Law, Suite 1230, 30 North LaSalle Street,
Chicago, Illinois, 60602, on the 30th day of May,
A.D., 2018, commencing at approximately 1:04 p.m.

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1 **firearms?**

2 A No. I was a Chicago police officer for
3 32 years. You don't do 32 years without being
4 accused of something.

5 **Q So the cases where you were a party you**
6 **were, like, a defendant?**

7 A Or someone else was. Someone else there
8 I worked with.

9 MR. TRESNOWSKI: Okay. I'm not sure how
10 long it's been since you were last deposed, so
11 I'll just run over some quick ground rules.

12 I'll be asking you a series of
13 questions. You're under oath just like you would
14 be at trial. If you don't know the answer to a
15 question that's okay. If you don't understand a
16 question I'm asking, let me know so that I can try
17 to rephrase it to help you understand it.

18 Try to answer orally to the
19 questions. If you nod or shake your head the
20 court reporter won't be able to note that.

21 Also, for the court reporter's
22 sake, we should try not to interrupt or talk over
23 each other, to try to take turns speaking.

24 We can take a break at any time,

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1 A That's correct.

2 Q And then Number 4 on the next page says
3 your name, your address, and says that you may be
4 testifying about your experience with firearms and
5 firearm education and training, experience working
6 with Franzese, and planned involvement with SAA,
7 and knowledge regarding laser sights. Is that
8 correct?

9 A That's correct.

10 Q So I just want to ask you some
11 questions --

12 A Sure.

13 Q -- about those subjects.

14 A Sure.

15 Q Can you talk about your experience in
16 firearm education and training?

17 A How far back do you want to go?

18 Q Let's talk about, first of all, how long
19 have you been teaching firearm classes or training
20 classes?

21 A Let's take that to the early '70s with
22 the Illinois National Guard. I was a small arms
23 instructor for the 933rd MP Company.

24 Then we get back into training.

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1 And in probably 2006, when I taught security
2 related courses, including armed security at
3 Truman College. And I was working at that time
4 for -- I'm trying to think of the name of Steve's
5 company. It'll come to me.

6 We worked there until 2008, when
7 Truman scrapped the security program, the entire
8 program. So we found ourselves without work.
9 And, at the same time, the College of Lake County
10 reached out to us because they found themselves
11 without an instructor when their guy died. So we
12 just moved lock, stock, and barrel over to the
13 College of Lake County. And that's where I had
14 been teaching until last year. Steve died a few
15 years ago.

16 And experience in teaching, all
17 right. Let's -- okay.

18 I was an Illinois --

19 **Q Can I just ask what you're reading from?**

20 A Yeah. That's my telephone, if you want
21 to see that.

22 Okay. This is in one of the
23 manuals. I've written several manuals having to
24 do with basic security, armed security, private

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1 investigation, concealed carry, and what have you.
2 In fact, I even wrote a Chicago Handgun Compliance
3 course.

4 And this is just from, like, the
5 third page in, because I like to let my students
6 know where I'm coming from so that they're not
7 wondering, you know, who the hell is this guy. So
8 I let them know. I was an Illinois law
9 enforcement training and standards instructor for
10 Use of Force and IDFPR, you know. Okay.
11 Registered firearm instructor, and my number is on
12 here, 263 triple 0 379. And I wrote the IDFPR
13 firearms course. It's -- okay. That was for
14 private security.

15 And I also wrote the Illinois
16 Concealed Carry course. That one is entitled,
17 Handgun Fundamentals. The number on that one is
18 CCC 13A0638. And I am still a registered -- or,
19 actually, this is a certified instructor with
20 them. And my number is CCT13B, like in boy, 091.
21 Also, I am -- I was a NRA certified law
22 enforcement handgun and shotgun instructor. I
23 took that course in 2008. And I'm currently an
24 NRA certified range safety officer, and I'm also a

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1 range safety officer at the Conservation Club of
2 Kenosha County in Wisconsin, Bristole Ranges.

3 So that kind of sums up what I
4 did or what have you. And I can give you a copy
5 of that if you need it, not today but --

6 **Q That would be great.**

7 A -- somewhere down the road.

8 **Q That would be great.**

9 MR. SIGALE: Tell you what, if you
10 screen shot and you send it to me I can forward it
11 to them.

12 THE WITNESS: That's wonderful. You
13 know how to do that?

14 MR. McNULTY: We can do that later.

15 MR. SIGALE: After the dep we'll screen
16 shot, and you'll email it over to me and then I'll
17 get it to you guys.

18 THE WITNESS: Okay.

19 BY MR. TRESNOWSKI:

20 **Q When you say that you wrote a course --**

21 A Yes.

22 **Q -- what do you mean by that?**

23 A Okay. And we're looking at which type
24 of course? We have several courses here. So as

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1 far as basic security --

2 MR. SIGALE: Well, hold on. Which
3 course are you talking about?

4 MR. TRESNOWSKI: You know what, you
5 mentioned I think two courses that you had
6 written.

7 THE WITNESS: We'll start with basic
8 security. I'm sure you're not totally interested
9 in what goes on there. Then there was a private
10 investigation course. These two are the basics,
11 you know, the steppingstones to get to an armed
12 security course.

13 And then the one that you would
14 be interested in is the armed security course,
15 which applies to both of the other two. Either
16 side -- either one of those people, if they want
17 to carry a gun while they're working, they have to
18 take that course and get certified. And I'm the
19 one that does that.

20 **Q And the requirement to take these**
21 **courses comes from State law?**

22 A Yeah, under the Private Detective Act.
23 It's a elongated thing. It's private detective,
24 private security, locksmith, this, that, and the

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1 **individual classes, but like, you know, a**
2 **concealed carry --**

3 A Basic security --

4 Q -- course --

5 **Basic security is one?**

6 A -- I taught. I've also taught private
7 investigation. I have taught armed security,
8 which is a 20-hour course, and then the concealed
9 carry course, which is a 16-hour course. And then
10 I have also taught --

11 And there's really no manual for
12 the tactical courses. What I do with a tactical
13 course is, we're going to go out on the range,
14 we're going to see what you know, what you don't
15 know, and we're going to determine where you
16 belong then. And we're going to slowly move up.

17 And by the time I'm through with
18 that, then you should be able to move on to the
19 next phase which is, one of our major guys going
20 out there with (indecipherable). One that was
21 involved with GTR and another one -- I can't think
22 of the other names right now. But those are the
23 people that pick up on these people to take them
24 to further training. If they don't have enough

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1 was 299.

2 **Q And for all these classes it's easier to**
3 **go through the college to attract a large number**
4 **of students; correct?**

5 A Yes. It was much easier. We could get
6 larger groups, plus we have large classrooms
7 there. The audiovisual system, the firearms
8 training simulator. There's a lot of good things
9 there.

10 **Q Just to complete this, how much would**
11 **you charge for your tactical courses, tactical**
12 **training courses?**

13 A Generally those are by the day -- the
14 dates that you're attending. It was put together
15 as a -- about a 22-piece program that people were
16 taught two sections of it per time at the range.
17 So we would go into the range for a two-hour
18 session. And the first hour they're going to
19 be -- well, we run them through certain safety
20 things to make sure that they're competent enough
21 to get out on the range. And then we take them
22 the first hour on one particular issue that we're
23 going to deal with, then we switch up and the next
24 issue in the next hour.

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1 So we're going to deal with two
2 different things, drawing from a concealed
3 position, what are you going to do in a close-up
4 position such as, you know, touching your target.
5 So that you're this far away from a person
6 (demonstrating) and drawing your firearm and
7 doing -- all different kinds of things; the
8 flashlight drills.

9 The laser, I didn't incorporate
10 the laser drill there, but if anybody brought a
11 laser we'd certainly work with it. And those went
12 roughly \$60 a session, and one session would be
13 two hours. So it would be \$60, but you're going
14 to be doing that 11 times, you know, so.

15 **Q You could do it 11 times or you could**
16 **just do one session if that's what you wanted;**
17 **correct? Or was it normal for someone to sign**
18 **up --**

19 A You have 22 different things that are
20 happening, you know, that you could learn. And we
21 were going to package together two each so that
22 you're not bored, you're not doing the same thing
23 for two hours. I got them out there doing one
24 thing. We could do a refresher at any time, you

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1 he took my private detective course, and he took
2 my armed security course, and I believe he took my
3 concealed carry course.

4 **Q How long have you known him?**

5 A Well, I started teaching in Truman at --
6 in 2008, so it was somewhere after that that I met
7 him -- or the CLC, not Truman. Truman was 2006.

8 **Q And when did Mr. Franzese first talk to**
9 **you about opening a gun store in Chicago?**

10 A I don't know. 2008, 2009, something.
11 He mentioned it when -- after one of the classes.

12 **Q How many conversations have you had with**
13 **him about his gun store in Chicago?**

14 A A handful, less than 10.

15 **Q Less than 10.**

16 **Did he ask you if you wanted to**
17 **participate in the store?**

18 A He asked me if I would teach classes for
19 his entity.

20 **Q Do you have any notes from your**
21 **conversations with him --**

22 A No.

23 **Q -- regarding the Chicago gun store?**

24 A No.

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1 **Q Did you ever email with him about the**
2 **gun store in Chicago?**

3 A No.

4 **Q You told him you were interested in**
5 **participating in the Chicago store?**

6 A Yes, I did.

7 **Q Were you planning on working there**
8 **full-time once the store was up and running?**

9 A Well, they had to get the store up and
10 running.

11 **Q So you never got into conversations**
12 **about how many hours a week you would work there;**
13 **correct?**

14 A No. We never got that far.

15 **Q And how much did you expect to be paid**
16 **for your work with the gun store in Chicago?**

17 A I didn't really put an expectation on
18 it.

19 **Q Would you have started working there**
20 **without an agreement about how much you would be**
21 **paid?**

22 A Sure.

23 **Q Have you ever started working at a job**
24 **without an agreement about how much you would be**

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1 **paid?**

2 A To tell you the truth, I don't know --

3 Yeah. I did once. In high
4 school I was working as a busboy for Columbia
5 Yacht Club. And the manager asked me to come in
6 and take care of the Yacht Club for him for a
7 weekend because nobody was going to be there and
8 the place was going to be closed. And I didn't
9 make an agreement with him. I should have.

10 **Q Did you have any conversations with**
11 **Mr. Franzese about which courses would be offered**
12 **at the store in Chicago?**

13 A No. It's my understanding that the
14 choice of curriculum would be mine of what we were
15 going to put on it.

16 **Q But you didn't?**

17 A Well, I know he wanted to offer
18 concealed carry and he was interested in any of
19 the security related courses. But we couldn't
20 proceed with any of that until he had some kind of
21 authorization to do this, until he had a location.

22 I'm not going to just, yes, at
23 what we're going to do. Let's take a look and see
24 how it's starting out. And once we had -- we were

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1 moving in that direction I told him I would be
2 happy to sit down and talk to him at any time. I
3 could go on a moment's notice. I have these
4 courses written, I have PowerPoints, I have books.
5 I have everything that's necessary to make this
6 thing run. I can be up and running tomorrow. I
7 can be teaching classes tomorrow. So that part
8 didn't bother me as long as he had someplace for
9 me to go and teach.

10 **Q Did you ever discuss any specific**
11 **locations for the store with Mr. Franzese?**

12 A The only location I tried to steer him
13 into is the Union Stock Yards, because that's
14 about as close to city center as you can get with
15 a large amount of land, and plenty of vacant
16 buildings, and plenty of parking. Everything he
17 needed was there.

18 **Q So apart from the general area of the**
19 **Union Stock Yards, you never discussed any**
20 **specific addresses --**

21 A No.

22 **Q -- or properties with Mr. Franzese?**

23 A No.

24 **Q By the end of the first year of the**

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1 **Chicago gun store's operation, how much revenue**
2 **would you expect to be taking in as a company from**
3 **classes on a weekly basis?**

4 MR. SIGALE: Object as to foundation and
5 speculation.

6 But to the extent you can
7 answer.

8 THE WITNESS: It would depend on the
9 classes. They were moving much better when
10 concealed carry first started. And some of my
11 classes -- and that's one class -- I would
12 generate \$6,000. So if I'm doing two classes
13 we're talking 12,000 and if there is three classes
14 we're talking 18,000 a week.

15 BY MR. TRESNOWSKI:

16 **Q Per week?**

17 A Sure. I wouldn't teach all three, not
18 all of it. I would work with another instructor.
19 There are some physical limitations here, you
20 know, like lunch or dinner, and a nap maybe at my
21 age.

22 **Q You were basing that estimate off of**
23 **concealed carry classes?**

24 A Right. That is off of concealed carry

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1 classes. The security classes would be smaller.

2 **Q And concealed carry did not become**
3 **authorized in Illinois until 2013; is that**
4 **correct?**

5 A 2013, right.

6 **Q So you wouldn't be offering concealed**
7 **carry class in 2010 or 2011?**

8 A No. 2010 would be probably -- it
9 wouldn't be concealed carry classes, you would
10 probably be dealing with any of the security
11 classes and a basic firearms class. And something
12 like that, it would probably go for 100 or 100 and
13 a quarter for a class like that. Because you're
14 talking about roughly a five-hour class, and
15 you're running pretty much along the lines of the
16 NRA basic pistol class, although I took that class
17 and rewrote it. So I've got it the way that I
18 like it.

19 **Q So I was talking about the first year of**
20 **operation for the gun store in the city, so we're**
21 **talking maybe earlier 2010. So let's assume that**
22 **concealed carry isn't on the books, because it**
23 **wasn't.**

24 A Right. It wasn't concealed carry in

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1 those days, but in those days people were taking
2 the basic course. And I remember the numbers
3 being anywhere from 10 people to about 15 or so
4 per class. And so what's that? That's -- you're
5 looking at 1,200 at 10 people, and about \$1,800
6 for 15.

7 **Q \$1,800?**

8 A Is my math good here?

9 **Q So you are \$1,800 for 15 people?**

10 A So if you round that down to about 12
11 people, 13 people, you come up with a \$1,500
12 number.

13 **Q And you said three classes. So 15 times**
14 **3, that's 4,500.**

15 A That could have been. It could have
16 worked that way if you generate enough people.
17 Again, it's like herding cats. You've got people
18 that want it in the evening, you've got people
19 that want it on the weekend. But the weekend
20 people want it with a Friday finishing Sunday,
21 while others want it without the Friday finishing
22 on Sunday. So, you know, you try to get enough
23 people together in each class to make that
24 worthwhile.

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1 That would be nice to do.

2 So, you know, once we're good to
3 go, I can be in there and, you know, I can start
4 teaching tomorrow. Let me get in there and get my
5 gear set up, you know. If you don't have a
6 screen, I have one. If you don't have a projector
7 I have one. I have a computer. I have all this
8 stuff. We can operate -- you know, we can get
9 started tomorrow.

10 **Q Before you started you would want to**
11 **have a conversation about which courses you would**
12 **be offering; correct?**

13 A Right. I think that the most money
14 would probably be from concealed carry courses.
15 Concealed carry and armed security --

16 Armed security, yeah. That one
17 and private investigation, those are the three top
18 money makers.

19 **Q And before you start you would also want**
20 **to make sure you have the necessary equipment for**
21 **your classes; correct?**

22 A Sure. It would be nice to have a range,
23 a place to actually shoot, you know. Something
24 that's -- we're not worried about any rounds

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1 A Because it's just as easy to use your
2 sights. A lot of people don't like sights, they
3 want to do this the easy way. And I don't want
4 them to do it the easy way, do it the right way.
5 This is what you should be doing. Then if you
6 want to go easier with lasers it might be a little
7 bit easier to do. But right now I would like you
8 to hold the sights correctly, do it the right way,
9 you know.

10 There are tips and tricks that
11 come with this stuff. And, you know, I've got an
12 assortment of them to give these people.

13 **Q So why do people use lasers if it's just**
14 **as easy to use your sights?**

15 A Because it's neat on TV. Darkness would
16 be another thing. If you're -- you wake up and
17 you're disoriented in your house, or you just come
18 up from a sound sleep, there is something moving
19 around in your house, you go for your gun. You
20 get to your bedroom door and you're seeing
21 something, you can put that laser on something and
22 know you're going to hit them without seeing the
23 sights. You may not even be able to see your
24 sights, you know. How dark is it in your house?

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1 to a class. And there were two of us teaching
2 that class.

3 **Q And how many classes were being offered**
4 **per week?**

5 A There was only one per week. That's all
6 that was offered. And there were two of us
7 teaching them, like I said.

8 **Q So if there were more classes, do you**
9 **think you'd be able to get 15 --**

10 A It's possible --

11 **Q -- per class?**

12 A -- because there was another instructor
13 going on at that time. At the time we were there
14 he was teaching an NRA course. And I don't know
15 which NRA course he was teaching, but he was
16 teaching in another part of the store.

17 We had classrooms on one end,
18 there were classrooms on the other end. So they
19 had different things going on on different days.

20 **Q So would it be reasonable to project**
21 **that there would be 45 students signed up for**
22 **classes -- signed up four classes per week at this**
23 **store you would open in Chicago?**

24 A I would think that it would be somewhere

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1 between 30 and 45.

2 **Q Somewhere between 30 and 45.**

3 A That that would be reasonable. You're
4 dealing with a whole week here.

5 **Q Yeah. So for a month, then, we're**
6 **talking about 120 to 180 individual students**
7 **signing up per month for classes?**

8 A That's possible.

9 **Q Does that seem likely, like a likely**
10 **number?**

11 A I don't know. It depends. You know,
12 we're talking a multiyear thing here. Back
13 between 2010, around that time, we would be
14 dealing with a five-hour class with range time.
15 And then at 2013 when concealed carry kicked in,
16 you would have the same number, that 15. But that
17 15 could easily stretch up to 20 or 25 people for
18 a concealed carry class, because the demand was
19 that high at that time. And that slowly waned,
20 but it took over a year for that to come down.

21 And I remember when I first
22 started doing this, and in my classes I had -- it
23 was an effort to keep my classes under 20 people.
24 I didn't want more than 20 people. I didn't want

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1 PPA on the calendar. That's them.

2 **Q I'm sorry. And what was the time frame**
3 **when you were there?**

4 A I don't know, just before concealed
5 carry started. So I was with him probably for two
6 or three years before that, two and a half years
7 maybe.

8 **Q Prior to?**

9 A Prior to concealed carry.

10 **Q Concealed carry?**

11 A I saw things I didn't like and I wanted
12 to step away from there before concealed carry
13 started.

14 **Q If Mr. Franzese opened up his gun store**
15 **in Chicago today, would you still be interested in**
16 **participating?**

17 A Yes.

18 **Q You haven't had recent conversations**
19 **about the --**

20 A No. No. The last conversation I had
21 with Joe was I'm telling him, when you get things
22 to the point that you're ready to start let me
23 know.

24 MR. TRESNOWSKI: I think I just have one

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1 unfamiliar with the industry.

2 **Q So you're not authorized to teach this**
3 **so-called 40-hour --**

4 A Yes, I am.

5 **Q -- State cert --**

6 **Oh, you are?**

7 A Yes. In fact, mine is probably one of
8 the only 40-hour State, if not the only 40-hour
9 State course, to be certified because they made me
10 do it that way. Where everybody else could submit
11 a 20 and get approved, they wouldn't let me do
12 that. They made me submit a 40. So they approved
13 the 40. That's what I have.

14 **Q I see. It says here the LEO training**
15 **will be offered. I take that to mean law**
16 **enforcement --**

17 A Law enforcement --

18 **Q -- officer training?**

19 A Yes.

20 **Q Is that something that you provide?**

21 A I was a -- an NRA law enforcement
22 firearms training officer in shotgun and handgun.

23 **Q In shotgun and handgun?**

24 A Right.

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1 **Permit?**

2 A I remember that we needed a Chicago
3 firearms something training. I remember that.
4 And I remember something about the permit allowing
5 you to have one gun in the house.

6 **Q Okay. So --**

7 A I remember something like that.

8 **Q -- I want you to assume, for purposes of**
9 **this question, that prior to the Supreme Court's**
10 **decision in McDonald versus City of Chicago, that**
11 **people were not allowed to have handguns in their**
12 **home with very limited exception. Okay?**

13 A Okay.

14 **Q I want you to further assume, for**
15 **purposes of my question, that following the**
16 **Supreme Court's decision in 2010 in McDonald**
17 **versus City of Chicago that the city rewrote their**
18 **handgun ordinance to allow people to have handguns**
19 **in their home. Okay?**

20 A Right.

21 **Q I want you to further assume, for**
22 **purposes of my question, that the City of Chicago**
23 **conditioned such home handgun possession on the**
24 **acquisition of something called a Chicago Firearms**

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1 **Permit, which required the permit holder to have**
2 **firearms training which included both classroom**
3 **and range training.**

4 **Does anything --**

5 **Those assumptions, does any of**
6 **that ring a bell? Does that sound familiar to**
7 **you?**

8 A Yeah. You're talking about Chicago
9 Handgun Compliance Training --

10 MR. TRESNOWSKI: Object to the form.

11 MR. SIGALE: Okay. You can still answer
12 it if you understand my question.

13 BY MR. SIGALE:

14 **Q Did any of those statements that I just**
15 **made to you, do they sound familiar to you? Did**
16 **you know those things?**

17 A Yes, I did. Chicago Handgun Compliance
18 Training, I wrote a manual for that and we
19 worked -- Steve and I were teaching that.

20 **Q So is it fair to say that the number of**
21 **Chicago residents who were taking this firearms**
22 **training say went up dramatically from the number**
23 **0 in 2010 after the Supreme Court decision and**
24 **after the Chicago Firearms Permit became**

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1 **mandatory?**

2 A I believe our awareness of people --
3 Chicago people taking firearms training increased
4 at that time. Because the training that we were
5 offering, Steve and myself, was not just in
6 Chicago. We were working with -- also with the
7 College of Lake County. And people from Chicago
8 specifically requested, hey, can we get this? And
9 we told them, absolutely, you know. What we are
10 offering falls into this. If you look at the two
11 trainings they're virtually identical. And if you
12 want the compliance certificate we can give you
13 one, but you gotta tell us you're from Chicago and
14 you need this. And that amount went up.

15 **Q So is it fair to say that the supreme**
16 **Court decision in 2010, coupled with the Chicago**
17 **Firearms Permit Ordinance shortly thereafter,**
18 **created an entirely new market of Chicago**
19 **residents who needed firearms training?**

20 A I would say yes.

21 **Q And given all the testimony, is it fair**
22 **to say that had Second Amendment Arms been allowed**
23 **to open in the City of Chicago during that time,**
24 **that that training for this brand new market is**

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1 something that you would have been willing to
2 provide through Second Amendment Arms?

3 A Yes.

4 Q And is it fair to say that you
5 individually or you through some other instructors
6 that you had mentioned earlier or that you would
7 have supervised or coordinated with, Second
8 Amendment Arms would have been willing to
9 accommodate as many Chicago residents as Second
10 Amendment Arms could handle --

11 A Yes.

12 Q -- to teach this class and get the
13 training and certification for a Chicago Firearms
14 Permit?

15 A Yes.

16 Q Is there currently a going rate for CCL
17 instructors?

18 I know what the class costs.
19 But if you -- someone just asked you, hey, can you
20 come teach my class, I'll pay you X dollars per
21 hour, is there a going rate for what X is?

22 A I don't know if there is an hourly rate.
23 In general it's done per class. But I understand
24 where you can have some issues with that with a

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1 Q Okay. So, in other words, if Second
2 Amendment Arms opened and you were running the
3 training and had to bring in extra instructors,
4 presumably Second Amendment Arms would be able to
5 figure out a rate with them; right?

6 A Yes.

7 Q Okay. The last thing I wanted to ask
8 you about was laser sights. Counsel asked you a
9 lot of questions about, you know, this
10 hypothetical, this going wrong and that going
11 wrong and that going wrong. But it's also
12 perfectly reasonable that when -- that someone
13 might feel more comfortable shooting if they had a
14 laser sight; correct?

15 A Yes. I believe that.

16 Q And it's also reasonable that there are
17 scenarios where the battery works as intended, and
18 in a home intrusion scenario that laser sight
19 might be the extra edge to save the homeowner's
20 life?

21 A That's possible. Yes.

22 Q And especially if someone has training
23 from someone like yourself and that training kicks
24 in at the right time; right?

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1 A Correct.

2 Q And it's also reasonable that the home
3 intruder sees a laser dot on their chest and gets
4 the heck out of there?

5 A That's possible. Yes.

6 Q Thus sparing the homeowner from having
7 to shoot the firearm at all?

8 A Yeah. That would be what would happen.

9 Q And if the person, say in the home, is
10 the only person in the situation with a firearm
11 with a laser, then what you were talking about,
12 well, whose dot is whose, doesn't apply at all;
13 right?

14 A That's right. There would be no
15 confusion at that point if there is one laser
16 light.

17 Q Okay. And even if you would prefer that
18 they -- strike that.

19 Even if you prefer using regular
20 sights yourself and not a laser, even if someone
21 else might prefer the added feature of a laser
22 sight, and the -- somehow in a scenario where
23 there's lots of people, I guess, with lots of
24 laser dots all aimed at the same general chest,

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1 though? He survived three to the head with a 22.
2 So, I mean, three bigger calibers. I mean, just
3 like with the laser sight, I would lean towards
4 the training that I've had rather than rely on a
5 mechanical object. Can we call it a mechanical
6 thing?

7 **Q But someone who feels -- has it**
8 **calibrated and the batteries working and feels**
9 **more comfortable in that situ -- feels more**
10 **comfortable having it in such a situation, you**
11 **don't see -- do you see any reason why that person**
12 **should be banned from having that tool in the**
13 **event that they might really need it?**

14 A No. It's a personal preference the way
15 I'm seeing it.

16 MR. SIGALE: I don't have anything else.

17 MR. TRESNOWSKI: I just have a few more.
18 I don't know what time we're at.

19 MR. SIGALE: Three minutes.

20 MR. TRESNOWSKI: Well, feel free to
21 interrupt when you need to.

22 MR. SIGALE: If we need to take a break
23 for a few minutes then we'll take a break and
24 we'll come back and...